IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12630 of 2004

Between:

P. Sadasiva Reddy, S/o P. Narayana Reddy,
R/o Rallapalli Village, Rayadurg Mandal, Anantapur District.

..... PETITIONER

AND

1 Regional Transport Officer & Secretary, Regional Transport Authority, Anantapur District, Anantapur.
2 Circle Inspector of Police, M.V. Spl. Squad, Anantapur, Anantapur District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of Mandamus, declaring the action of the respondents in seizing and detaining the Petitioner's Stage Carriage Bus bearing Registration No. K.A. 16/6489, pursuant to the Vehicle Check Report No. 841 (V.C.R.No. 369/04) dated 14-7-2004 of the 2nd respondent, as illegal, arbitrary and contrary to law and consequently direct the respondents to release the said vehicle to the Petitioner herein without insisting upon payment of any difference of tax, forthwith;

Counsel for the Petitioner:MR.E.MARUTHI RAJA, Advocate.

Counsel for the Respondents : GP FOR TRANSPORT

The Court at the stage of admission, made the following :

ORDER : (Per Sri Bilal Nazki, J)

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

We have gone through the record. We feel that the interest of justice would be met if the vehicle is released on deposit of Rs.10,000/- (Rupees ten thousand) and also the tax due, if any. The amount of Rs.10,000/- so deposited shall be adjusted in future in case any liability is imposed upon the petitioner after due enquiry. However, if no liability is imposed on him, the petitioner shall be entitled to receive back the amount. The petitioner shall also give an undertaking before the respondents, not to alienate the vehicle and remain available during the enquiry.

With these directions, the Writ Petition is disposed of. No costs.

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(Bilal Nazki, J)

21st July, 2004.

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(S.Ananda Reddy, J)

N.B:

Wire at party's cost.

(B/o)

ajr.

To

1 Regional Transport Officer & Secretary, Regional Transport Authority, Anantapur District, Anantapur.
2 Circle Inspector of Police, M.V. Spl. Squad, Anantapur, Anantapur District.

3 Two C.Cs. to the Government Pleader for Transport, High Court buildings,

Hyderabad (O.U.T).

4 Two C.D. copies.